

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.9266 of 2020

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Upendra Mishra Son of Late Bhagya Narayan Mishra, Resident of Village -
Barri Behta, P.S. Pupri, District Sitamarhi. Presently posted as Peon, Ram
Sewak Singh Mahila College, Sitamarhi.

... .. Petitioner/s

Versus

1. The State of Bihar through the Chief Secretary, Government of Bihar, Patna.
2. The Chief Secretary, Government of Bihar, Patna.
3. The Principal Secretary, Department of Education, Government of Bihar,
Patna.
4. The Secretary, Department of Education, Government of Bihar, Patna.
5. The B.R. Ambedkar Bihar University, Muzaffarpur through its Registrar.
6. The Vice Chancellor, B.R. Ambedkar Bihar University, Muzaffarpur.
7. The Registrar, B.R. Ambedkar Bihar University, Muzaffarpur.
8. The Finance Officer, B.R. Ambedkar Bihar University, Muzaffarpur.
9. The Principal R.S.S. Mahila College, Sitamarhi.

... .. Respondent/s

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Appearance :

For the Petitioner/s : Mr.Jagjit Roshan
For the Respondent/s : Mr.Lalit Kishore (Ag)

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CORAM: HONOURABLE MR. JUSTICE MOHIT KUMAR SHAH
ORAL ORDER

2 23-03-2021 The present writ petition has been filed
seeking the following reliefs:-

"(i) Issuance of a writ or writs, order or
orders, direction or directions in the
nature of mandamus directing the
Respondents for payment of monthly
salary alongwith interest from the
period between 13.07.2012 (Date of
Regularization) to November, 2016,
which has not been paid arbitrarily.



(ii) Issuance of an appropriate writ or writs in the nature of mandamus commanding the Respondents for entitlement of petitioners for their arrears of salaries for the period prior to regularization in the light of Order dated 19.02.1997 passed in LPA No. 36 of 1994 (Braj Kishore Singh and Ors. vs. The State of Bihar and Anrs.) reported in 1997 (1) PLJR, Page-509 and order dated 20.10.2011 passed in CWJC No. 4360 of 2007, as the case of the petitioner is squarely covered by the above two decisions.

(iii) Issuance of a writ or writs, order or orders, direction or directions in the nature of mandamus directing the respondents to count the past service of the petitioner which is from 28.08.1980 (date of joining) for calculating the length of service for grant of pension, gratuity and other retirement benefits.

(iv) Issuance of writ in the nature of mandamus directing the respondents that the petitioner is entitled for his arrears of salaries for the period prior to regularization and that period also be counted for the purpose of



consequential benefits.

(v) Issuance of a writ or writs, order or orders, direction or directions in the nature of mandamus directing the respondents to grant the benefits of increment / salaries and other benefits to the petitioner which the similarly situated persons have been granted.

At the outset, the learned counsel for the petitioner seeks liberty to approach the Registrar, B. R. Ambedkar Bihar University, Muzaffarpur for redressal of his aforesaid grievances.

Accordingly, the present writ petition stands disposed of as not pressed, however, with liberty to the petitioner to approach the Registrar, B. R. Ambedkar Bihar University, Muzaffarpur i.e. the Respondent No. 7 and in case, appropriate representation is filed within a period of three weeks from today, the same shall be disposed of, in accordance with law, within a period of eight weeks, thereafter.

(Mohit Kumar Shah, J)

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